

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

UNITED STATES OF AMERICA,)	
)	Case No.
Plaintiff,)	
)	Judge:
vs.)	
)	Violations:
)	Title 18, United States Code,
DAVID A. TUASON,)	Sections 875(c) and 876(c)
)	
Defendant.)	

INDICTMENT

The Grand Jury charges:

COUNT 1

(Mailing Threatening Communication: 18 U.S.C. § 876(c))

On or about July 25, 2003, in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON knowingly and willfully did deposit in a post office and in an authorized depository for mail matter, to be sent and delivered by the U.S. Postal Service, and did knowingly and willfully cause to be delivered by the U.S. Postal Service according to the direction thereon, a communication addressed to an Associate Justice of the United States Supreme Court, who is a black person known to the Grand Jury (referred to herein as "CT"), 1 First St. NE, Washington, D.C.

20543, and containing a threat to injure the person of the addressee and of another, in that the letter stated in part as follows: “Any negro with a white girl is sick like child molestation or incest. We don’t touch negroes’ women. . . Monkeys at the zoo look better than negro men. If this doesn’t stop the blackie will be castrated, shot, or set on fire. . . We will use detectives to find you. . . I will blow up the Supreme Court Building. . . I want him killed.”

All in violation of Title 18, United States Code, Section 876(c).

The Grand Jury further charges:

COUNT 2

(Mailing Threatening Communication: 18 U.S.C. 876(c))

On or about April 14, 2007, in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON knowingly and willfully did deposit in a post office and in an authorized depository for mail matter, to be sent and delivered by the U.S. Postal Service, and did knowingly and willfully cause to be delivered by the U.S. Postal Service according to the direction thereon, a communication addressed to KSU WOMEN’S BASKETBALL, 500 E. Main, Kent, Ohio 44242, and containing a threat to injure the addressee and the person of another, that is “RP” and “KP”, both of whom are black persons known to the Grand Jury, and Kent State University, in that the letter stated in part as follows:

“. . . Blacks should be shipped back to Africa. . . Slaves don’t tell whites what to do. BLACK MEN ARE THE UGLIEST. . . We white girls will use detectives and police to find you and castrate you. . . Black men should be with black women. I want people to stare in malls, restaurants, ARENAS, gas stations, and any public area at any blackie with a white girl and stab him dead. If not, I, “LP” will bomb the place. Even the mulatto kids look ugly.”

All in violation of Title 18, United States Code, Section 876(c).

The Grand Jury further charges:

COUNT 3

(Mailing Threatening Communication: 18 U.S.C. § 876(c))

On or about February 4, 2008, in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON knowingly and willfully did deposit in a post office and in an authorized depository for mail matter, to be sent and delivered by the U.S. Postal Service, and did knowingly and willfully cause to be delivered by the U.S. Postal Service according to the direction thereon, a communication addressed to Severance Hall, 11001 Euclid Avenue, Cleveland, OH 44106, and containing a threat to injure the person of another, that is "AJ", who is a black person known to the Grand Jury, in that the letter stated in part as follows: "Any blackie with a white girl is disgusting. . . Blacks should be shipped back to Africa. . . Do you want a blackie TOUCHING YOUR DAUGHTER, MOTHER OR WIFE? . . . Slaves don't tell whites what to do. BLACK MEN ARE THE UGLIEST . . . We white girls will use detectives and police to find you and castrate you . . . Black men should be with black women. Mulatto kids are ugly freaks that should be destroyed. I want people in public like malls, restaurants, fast food, gas stations, food marts, sidewalks, arenas, neighbors, customers, etc. to stare and stab dead any blackie with a white girl."

All in violation of Title 18, United States Code, Section 876(c).

The Grand Jury further charges:

COUNT 4

(Mailing Threatening Communication: 18 U.S.C. § 876(c))

On or about March 3, 2008, in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON knowingly and willfully did deposit in a post office and in an authorized depository for mail matter, to be sent and delivered by the U.S. Postal Service, and did knowingly and willfully cause to be delivered by the U.S. Postal Service according to the direction thereon, a communication addressed to DW, Strongsville Football, Strongsville High School, 20025 Lunn Rd., Strongsville, OH 44149, and containing a threat to injure the person of the addressee and of another, that is “DW”, who is a black person known to the Grand Jury, in that the letter stated in part as follows: “Any blackie with a white girl is disgusting . . . Blacks should be shipped back to Africa. . . . Do you want a blackie TOUCHING YOUR DAUGHTER, MOTHER OR WIFE?. . . Slaves don’t tell whites what to do. BLACK MEN ARE THE UGLIEST. . . We white girls will use detectives and police to find you and castrate you. . . Black men should be with black women. . . I want people in public like malls, restaurants, salons, shops, arenas, gas stations, etc. to stare and attack and stab any blackie with a white girl.”

All in violation of Title 18, United States Code, Section 876(c).

The Grand Jury further charges:

COUNT 5

(Mailing Threatening Communication: 18, U.S.C. § 876(c)).

On or about October 10, 2007 , in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON knowingly and willfully did deposit in a post office and in an authorized depository for mail matter, to be sent and delivered by the U.S. Postal Service, and did knowingly and willfully cause to be delivered by the U.S. Postal Service according to the direction thereon, a communication addressed to Revere High School, 3420 Everett Rd., Richfield, OH 44286,

and containing a threat to injure the addressee and the person of another, that is “LN”, a black person known to the Grand Jury, and “CN”, who was then a black juvenile person known to the Grand Jury, and Revere High School, in that the letter stated in part as follows: “Blacks should be shipped back to Africa. . . Slaves don’t tell whites what to do. BLACK MEN ARE THE UGLIEST. . . We white girls will use detectives and police to find you and castrate you. . . Black men should be with black women. Mulatto kids are ugly freaks. . . I want people in public like malls, groceries, arenas, signings, gas stations, restaurants, TV studios, parties, sidewalks, etc. to stare and stab dead “LN”. If not, I, “JN”, will bomb the place. I know that all my friends, neighbors, relatives, and the Cavaliers’ people hate “LN.” The mention in the letter of “the Cavalier’s people” was a reference to the Cleveland Cavaliers professional basketball team of the National Basketball Association (“NBA”).

All in violation of Title 18, United States Code, Section 876(c).

The Grand Jury further charges:

COUNT 6

(Mailing Threatening Communication: 18 U.S.C. § 876(c))

On or about May 30, 2003, in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON knowingly and willfully did deposit in a post office and in an authorized depository for mail matter, to be sent and delivered by the U.S. Postal Service, and did knowingly and intentionally cause to be delivered by the U.S. Postal Service according to the direction thereon, a communication addressed to “OT”, Mentor High School Track Team, 6477 Center St., Mentor, Ohio 44060, and containing a threat to injure the person of the addressee and of another, that is “OT”, who was then a black juvenile person known to the Grand Jury, in that the letter stated in part as follows: “Any negro with a white girl is sick like child molestation or incest. . . If this doesn’t stop the

blackie will be castrated, shot, or set on fire. . . We will use detectives to find you. . . Your are [sic] an ugly slave who should not be wearing white man's clothes, cars, house, etc. . . . You are not wanted why force Caucasians to like you. “

All in violation of Title 18, United States Code, Section 876(c).

The Grand Jury further charges:

COUNT 7

(Threatening Interstate Communications: 18 U.S.C. § 875(c))

On or about February 6, 2008, in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON did transmit in interstate and foreign commerce a communication, that is, an electronic mail message, containing a threat to injure the person of another, that is “SS”, a black person known to the Grand Jury, and all office personnel at Jordache Enterprises, in that the electronic mail message stated in part as follows: “Mulatto kids are ugly freaks that should be destroyed. . . The blackie should be castrated. I want people in public malls, photo shoots, TV studios, radio, concerts, arenas, restaurants, NBC TV, Bravo TV, parties, sidewalks, etc. to stare and stab dead any blackie with a white girl like “SS”. . . If not, I “HK” WILL BOMB THE PLACE.”

All in violation of Title 18, United States Code, Section 875(c).

The Grand Jury further charges:

COUNT 8

(Threatening Interstate Communications: 18 U.S.C. § 875(c))

On or about January 22, 2008, in the Northern District of Ohio, Eastern Division and elsewhere, defendant DAVID A. TUASON did transmit in interstate and foreign commerce a communication, that is, an electronic mail message, containing a threat to injure the person of another, that is “EG”, who is a

black person known to the Grand Jury, in that the electronic mail message stated in part as follows: “I want people in public like golf courses, arenas, malls, restaurants, charity events, gas stations, sidewalks, parties, etc. to stare and stab dead any balkie (sic) with a white girl. . . . He should be castrated. All your friends, neighbors co-workers, golfers, etc. hate him.”

All in violation of Title 18, United States Code, Section 875(c).

A TRUE BILL.

Original Document - - Signatures on file with the Clerk of Courts, pursuant to the E-Government Act of 2002.

UNITED STATES v. DAVID A. TUASON

A TRUE BILL.

FOREPERSON

WILLIAM J. EDWARDS
ACTING UNITED STATES ATTORNEY